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Counsel for Jessica Ann Cunningham

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESSICA ANN CUNNINGTON,

Defendant.

Case No. 2:19-CR-127-RMP-1

**MOTION TO HAVE LEGAL
NAME REFLECTED IN LEGAL
DOCUMENTS AND IN THE
UNITED STATES MARSHALS
SYSTEM**

September 18, 2022 @ 6:30 p.m.

Spokane, Washington

1 Jessica Cunnington, through counsel, Amy Rubin for the Federal Defenders
2 of Eastern Washington and Idaho, respectfully requests that the Court change her
3 name to 'Jessica Ann Barrington'.

4 On June 11, 2019, the Superior Court of Washington, ordered the Final
5 Divorce Order (Dissolution Decree) (DCD) in re the marriage of Jason Cunnington
6 and Ms. Cunnington, see attachment "A". The court made findings and
7 conclusions in this case, ordering the name change of Ms. Cunnington, to 'Jessica
8 Ann Barrington'. This is now her true legal name and Ms. Barrington wants to be
9 known as her true legal name.
10

11 Ms. Cunnington's name was changed formally prior to the Indictment in this
12 case. The Indictment in this case was filed on August 6, 2019. Thus, the
13 Indictment reflects Ms. Cunnington's former married name and does not reflect
14 her current legal name.
15

16 In light of being in a volatile marriage, this is important to Jessica not only
17 because it is her true legal name, but because it allows her to put closure on a
18 relationship that was riddled with domestic violence.
19

20 For these reasons, Ms. Cunnington respectfully requests that the Court
21 grant the motion, changing Ms. Cunnington's name from 'Jessica Cunnington' to
22 'Jessica Ann Barrington'

1 Dated: August 31, 2022

2 /s/Amy H. Rubin

3 Amy H. Rubin

4 Federal Defenders of Eastern WA&ID

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9 Counsel for Jessica Ann Cunningham

10
11
12 **Service Certificate**

13
14 I certify that on August 31, 2022, I electronically filed the foregoing with the
15 Clerk of the Court using the CM/ECF System, which will notify Assistant United
16 States Attorneys: David Herzog

17 /s/Amy H. Rubin

18 Amy H. Rubin

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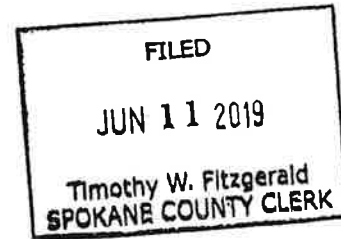
Counsel for Jessica Ann Cunningham

ATTACHMENT A

CN: 201803010223

SN: 55

PC: 4

Superior Court of Washington, County of SPOKANE

In re the marriage of:

Petitioner (*person who started this case*):JASON CUNNINGTONAnd Respondent (*other spouse*):JESSICA CUNNINGTONNo. 18-3-01022-3☒ Final Divorce Order (Dissolution Decree) (DCD)☐ Clerk's action required: **1, 2, 6, 13, 14, 16****Final x Divorce Order****1. Money Judgment Summary**☒ No money judgment is ordered.**2. Summary of Real Property Judgment (land or home)**☐ Summarize any real property judgment from section 7 in the table below.

Grantor's name (person giving property)	Grantee's name (person getting property)	Real Property (fill in at least one)	
		Assessor's property tax parcel or account number.	Legal description of property awarded (lot/block/plat/section, township, range, county, state)
Jessica Cunningham	Jason Cunningham	56363.1509	Lt.9,Blk 3 MOUNTAIN VIEW MEADOWS 1 ST Addition, according to plats in Spokane County, Wa.
Lawyer (name): Tim Harkins		represents (name): Petitioner	
Lawyer (name): Deanna Crull		represents (name): Respondent	

➤ **The court has made Findings and Conclusions in this case and now Orders:**

3. Marriage

- ☒ This marriage is dissolved. The Petitioner and Respondent are divorced.

4. Name Changes

~~Neither~~ spouse asked to change his/her name.

☒ first Jessica middle Ann last Barrington

5. Separation Contract

- ☒ The spouses must comply with the terms of the separation contract signed on (date): _____. This contract is (check one):
☒ filed with the court as a separate document and is incorporated by reference.

6. Money Judgment (summarized in section 1 above)

- ☒ None.

7. Real Property (land or home) (summarized in section 2 above)

- ☒ The real property is divided according to the separation contract described in 5 above.
☒ The spouse giving up ownership must sign a Quit Claim Deed and Real Estate Excise Tax Affidavit to transfer the real property to the other spouse by (date): upon entry of this Decree.

8. Petitioner's Personal Property (possessions, assets or business interests of any kind)

- ☒ The personal property listed as Petitioner's in the separation contract described in 5 above is given to Petitioner as his/her separate property.

9. Respondent's Personal Property (possessions, assets or business interests of any kind)

- ☒ The personal property listed as Respondent's in the separation contract described in 5 above is given to Respondent as his/her separate property.

10. Petitioner's Debt

The Petitioner must pay all debts s/he has incurred (made) since the date of separation, unless the court makes a different order about a specific debt below. (Check one):

- ☒ The Petitioner must pay debts as required by the separation contract described in 5 above.

11. Respondent's Debt

The Respondent must pay all debts s/he has incurred (taken on) since the date of separation, unless the court makes a different order about a specific debt below. (Check one):

- ☒ The Respondent must pay debts as required by the separation contract described in 5 above.

12. Debt Collection (hold harmless)

- x If one spouse fails to pay a debt as ordered above and the creditor tries to collect the debt from the other spouse, the spouse who was ordered to pay the debt must hold the other spouse harmless from any collection action about the debt. This includes reimbursing the other spouse for any of the debt he/she paid and for attorney fees or costs related to defending against the collection action.

13. Spousal Support (maintenance/alimony)

- x No spousal support is ordered.

14. Fees and Costs (Summarize any money judgment in section 1 above.)

- x Each spouse will pay his/her own fees and costs.

15. Protection Order

Not applicable

16. Restraining Order

Not applicable

17. Children of the marriage

- x This court has jurisdiction over the children the spouses have together as explained in the *Findings and Conclusions* for this case.

The court further finds that based on the Findings and Conclusions, that the Petitioner herein is not the father of the Respondent's unborn child.

If there are children of both spouses listed in the *Findings and Conclusions* who do not have both spouses listed on their birth certificates, the State Registrar of Vital Statistics is ordered to amend the children's birth certificates to list both spouses as parents upon receipt of a certified copy of this order and the *Findings and Conclusions*.

Note – The court does not forward this order to Vital Statistics. To amend the birth certificate, a party must provide a certified copy of this order and the Findings and Conclusions and pay a filing fee to the State Registrar of Vital Statistics (360-236-4347). You may order a copy of the amended birth certificate for an additional fee.

- x This court does **not** have jurisdiction over the children as explained in the *Findings and Conclusions* for this case until the Dependency Court allows Leave to Proceed, at which time the parenting plan shall be entered.

17. Parenting Plan

The children are currently in a Dependency Proceeding in Spokane County Juvenile Court and it is anticipated the shortly a Leave to Proceed Order will be entered and the kids will be placed with Petitioner/father and an appropriate Parenting Plan will be entered at that time.

19. Child Support

- x **Court Order** – The court signed the final *Child Support Order* and *Worksheets* filed separately today.
- x **Post-secondary (college or vocational school)** –The court orders:
 - X A parent may ask the court for post-secondary support at a later date, but he/she must file that request before the duty to pay child support ends.

20. Other Orders (if any):

Ordered.

6/11/19
Date

[Signature]
Judge or Commissioner

**Petitioner and Respondent or their lawyers fill out below. MARK HODGSON
COMMISSIONER PROTEM**

[Signature]
Jason Cunningham Petitioner

[Signature]
Jessica Cunningham Respondent

[Signature]
Timothy J. Harkins #7924

Attorney for Petitioner

[Signature]
Deanna Crull #31721

Attorney for Respondent